

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

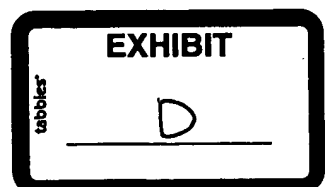
Application: 09 / 767,422
Date of Deposit: January 19, 2001
Filing Date: January 19, 2001
Date of Re-deposit: January 22, 2001
Assigned Filing Date: January 22, 2001
Title: SYSTEM AND METHOD FOR CONDUCTING ELECTRONIC
COMMERCE
Applicants: Schroeder et al.
Group Art Unit: 2164
Examiner: To Be Assigned
Attorney Docket: 030633.0010

Declaration of Kelly M. Byrd

I, Kelly M. Byrd, declare:

I make this declaration of my own personal knowledge, and upon information and belief I believe to be creditable and trustworthy. If called upon to testify as to the truth of the matters stated herein, I could and would do so from my personal knowledge, unless I state that my statement is based upon information and belief.

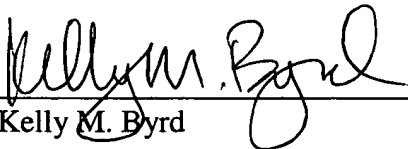
On Friday, January 19, 2001, I was an employee of messenger service Quik Rite, 2503 West Lake Drive, Suite 3, Austin, TX 78746. On that date, and acting under the direction of Bowne Business Solutions, doing business at Brobeck, Phleger & Harrison LLP, 4801 Plaza on the Lake, Austin, TX 78746, I received an envelope bearing Post Office to Addressee Express Mail Mailing Label EF062434188US, which I understand contained the above-captioned patent application and related correspondence (hereinafter, "Patent Application"). I was instructed to hand deliver the Patent Application to a Postal clerk at the General Mail Facility at 8225 Cross Park Drive, Austin, TX 78710 (hereinafter, "GMF") and to have the Express Mail receipt filled



out so that I could return it to Brobeck, Phleger & Harrison LLP. When I arrived at the GMF, before 9:00 p.m. on January 19, 2001, there were no Postal clerks accessible to accept the Patent Application (even though I had been told that there would be such a clerk accessible), so I deposited the Patent Application into one of the First Class Mail drop boxes at the GMF before 9:00 p.m., which was before that day's last scheduled mail pickup. The last scheduled mail pickup from a GMF dropbox for January 19, 2001 was 9:45 p.m.

I declare, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct to the best of my knowledge.

Dated: August 30, 2001.



Kelly M. Byrd